

NOTICE OF APPEAL AND PUBLIC HEARING

Form DS1700



The Department of Community Development has received an Appeal of a Land Use Decision, as described below. This Appeal is subject to public notice and public hearing pursuant to Clark County Code (CCC) Chapter 40.510.030(H)

The Clark County Hearings Examiner will conduct the public hearing on **June 20, 2006 at 6:00 P.M.**, at **Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680** (see attached map). Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 5:30pm.

At the hearing, the Examiner will consider the following:

Project Name:	Lakeside Industries Hot Mix Asphalt Plant
Case Number:	APL2006-00009
Location:	The site is located between NE Caples Road and NE 151 st Street about 2,000 feet east of SR503 in the Brush Prairie Rural Center.
Request:	Construct a 5,400 square foot shop, 1,867 square foot office and a hot-mix asphalt plant on 16.24 acres of land in Brush Prairie, WA
Appeal Issues:	The appellants are appealing the adequacy of the Final Environmental Impact Statement.
Appellants:	John Karpinski ; Attorney at Law; 2612 E 20 th Street; Vancouver, WA 98661 (360) 690-4500 – Representing Greater Brush Prairie NA Denise Lukins ; Attorney at Law ; 14112 NE 134th Street ; Vancouver, WA 98685 – Representing Jean Ferry
Date of Notice:	April 25, 2006

Neighborhood

Contact:

Greater Brush Prairie Neighborhood Association; Sam Kim, President; 14915 NE 126 Avenue; Brush Prairie, WA 98606 896-7119 ; E-mail: brushprairie@comcast.net

Staff Contact:

Terri Brooks, Extension 4885

Legal Description of Property:

Tax lots 140,174 (197012), 126 (196998), 135 (197007) and 162 (197034) located in the NE quarter of Section 22, Township 3North, Range 2 East of the W.M.

Applicable Laws:

Clark County Code Chapters 9 (Public Peace, Safety and Morals); 12.05A (Transportation), 12.40 (Concurrency), 13.08A (Sewerage System); 13.26A (Water Quality); 13.29 (Storm Water and Erosion Control); 13.36 (Wetlands); 13.51 (Habitat Conservation); 13.70 (Critical Aquifer Recharge Areas); 15 (Fire Code), 20.50 (SEPA), 17.105 (Legal Lot Determination); 18.200 (Establishment of Zone Districts); 18.317 (Industrial Zone District); 18.600 (Procedures); 18.402A (Site Plan Review); 13.40A (Water Systems); and State law RCW 58.17 (Plats and Subdivisions); RCW 70.94 (Washington Clean Air Act); WAC 246-290 (Public Water Supplies); WAC 246-272 (On-Site Sewage Systems) WAC 197-11 (SEPA Rules); 43.21C RCW (State Environmental Policy); and SWAPCA400 (Southwest Washington Air Pollution Control Authority)

Public Information Available:

The appeal document and case file, the Staff Report & Decision under appeal, the case file for the site plan review application, and the Clark County Code are available for review by the public during office hours at the Department of Community Development, 1408 Franklin Street, Vancouver WA. A Staff Report and Recommendation to the Hearing Examiner will be prepared by staff and available to the public two weeks prior to the public hearing.

Public Testimony Process:

Any person wishing to present testimony should arrive by **6:00 p.m.** at the Public Service Center, 1300 Franklin Street, Vancouver, Washington.

Faxed & Written Testimony

Testimony can be faxed to the Development Services Division at (360) 397-2011, Attn: **Terri Brooks**. Written testimony can be mailed or hand delivered to the Customer Service Center, Department of Community Development, Development Services Division, 1300 Franklin Street, P.O. Box 9810, Vancouver, WA 98666-9810. Faxed, mailed or delivered testimony must be received at the Permit Services Center by **1:00 P.M., the day of the hearing**. Other written or verbal testimony may be presented and considered at the public hearing.

Appeal Process:

The Hearing Examiner normally issues a decision within two weeks from the close of the public hearing. In accordance with Clark County Code 18.600.100, appeals of Hearing Examiner decisions must be filed with the Board of County Commissioners within fourteen (14) days of the mailing of the Hearing Examiner's written decision. Hearings Examiner decisions on any SEPA procedural appeal cannot be further appealed to the Board of County Commissioners. Such appeals must pursue judicial review.

Appeals must be in writing and contain a brief statement describing why the Hearing Examiner's decision is in error. The appeal must be accompanied by check in the amount of **\$266**. Checks shall be made payable to the Board of County Commissioners.

Accommodation of Physical Impairments:

The Public Service Center is wheelchair accessible. For persons requiring auxiliary aids or special arrangements in order to participate in this hearing, please contact the Development Services Division as far in advance of the hearing date as possible. To request these arrangements, please contact Susan Rice at (360) 397-2375, Ext. 4075 or call the Telecommunications Device for the Deaf (TDD) line at (360) 737-6057.

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

Or Contact Terri Brooks at terri.brooks@clark.wa.gov